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PART II — Section 2

प्राधिकार से प्रकाशित

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No. 30] NEW DELHI, WEDNESDAY, DECEMBER 7, 2011/AGRAHAYANA 16, 1933 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 7.12.2011.

BILL NO. 107 OF 2011

A Bill further to amend the North-Eastern Areas (Reorganisation) Act, 1971.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the North-Eastern Areas (Reorganisation) Amendment Act, 2011.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In section 61 of the North-Eastern Areas (Reorganisation) Act, 1971, for sub-section (3), the following sub-sections shall be substituted, namely:—

Amendment of section 61 of Act 81 of 1971.

"(3) On and from the date of commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2011, there shall be constituted each for the State of Manipur and for the State of Tripura a separate cadre of the Indian Administrative Service, a separate cadre of the Indian Police Service and a separate cadre of the Indian Forest Service.

(3A) The initial strength and composition of the State cadres referred to in sub-section (1) shall be such as the Central Government may, by order, determine before the date of commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2011.

(3B) The members of each of the said services borne on the joint cadre for the States of Manipur and Tripura in each category of the All-India Services immediately before the commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2011 shall be allocated to the State cadres of the same service constituted under sub-section (1) in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(3C) Nothing in this section shall be deemed to affect the operation, on or after the commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2011, of the All-India Services Act, 1951, or the rules and regulations made thereunder." 61 of 1951.

STATEMENT OF OBJECTS AND REASONS

The North-Eastern Areas (Reorganisation) Act, 1971 was enacted with a view to providing for the establishment of the States of Manipur and Tripura and also for the formation of the State of Meghalaya and for matters connected therewith.

2. Section 61 of the aforesaid Act contains provisions relating to the All-India Services. Sub-section (3) of the said section provides for the constitution of a joint cadre each of the Indian Administrative Service, the Indian Police Service and the Indian Forest Service for the States of Manipur and Tripura. The law relating to recruitment and conditions of service of persons appointed to the All-India Services is contained in the All-India Services Act, 1951 and the rules and regulations made thereunder.

3. At present, there is a joint cadre of the All-India Services for the States of Manipur and Tripura. The demand for bifurcation of the joint Manipur and Tripura cadre in respect of each of the aforesaid Services was initially raised by the then Chief Minister of Tripura in the year 2004. The issue was discussed in several review meetings. A meeting of the Cadre Controlling Authorities of the All-India Services, namely, the Department of Personnel and Training, the Ministry of Home Affairs and the Ministry of Environment and Forests was convened on the 12th January, 2009 wherein it was recommended to split the joint Manipur and Tripura All-India Service Cadres into two independent State cadres. The proposal for splitting the joint Manipur and Tripura cadre of the All-India Services was considered by the Central Government after consultation with the stakeholders.

4. Accordingly, it is proposed to amend section 61 of the North-Eastern Areas (Reorganisation) Act, 1971 relating to All-India Services to give effect to the said proposal.

5. The Bill seeks to achieve the above objects.

NEW DELHI;
The 21st November, 2011.

P. CHIDAMBARAM.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 61 of the North-Eastern Areas (Reorganisation) Act, 1971 so as to constitute separate cadres of certain All-India Services, namely, the Indian Administrative Service, the Indian Police Service and the Indian Forest Service for the States of Manipur and Tripura respectively, by splitting up of the existing joint cadre for the said States. The expenditure on these Services would be borne by the respective State Governments and hence no separate expenditure from the Consolidated Fund of India, both recurring and non-recurring, is involved.

BILL No. 106 OF 2011

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2011-12.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

- | | |
|---|--|
| 1. This Act may be called the Appropriation (No. 4) Act, 2011. | Short title. |
| 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of sixty-three thousand one hundred eighty crores and twenty-four lakh rupees towards defraying the several charges which will come in the course of payment during the financial year 2011-12 in respect of the services specified in column 2 of the Schedule. | Issue of Rs. 63180,24,00,000 out of the Consolidated Fund of India for the financial year 2011-12. |
| 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. | Appropriation. |

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Department of Agriculture and Cooperation Revenue	1,00,000	64,00,000	65,00,000
3	Department of Animal Husbandry, Dairying and Fisheries Revenue	2,00,000	..	2,00,000
4	Atomic Energy Revenue	1,00,000	..	1,00,000
	Capital	1,00,000	..	1,00,000
6	Department of Chemicals and Petrochemicals Revenue	199,74,00,000	..	199,74,00,000
7	Department of Fertilisers Revenue	13778,93,00,000	..	13778,93,00,000
8	Department of Pharmaceuticals Revenue	1,00,000	..	1,00,000
10	Ministry of Coal Capital	70,00,00,000	..	70,00,00,000
11	Department of Commerce Revenue	15,05,00,000	..	15,05,00,000
12	Department of Industrial Policy and Promotion ... Revenue	1,00,000	..	1,00,000
13	Department of Posts Revenue	1,00,000	63,00,000	64,00,000
	Capital	1,00,000	9,58,00,000	9,59,00,000
15	Department of Information Technology Revenue	2,00,000	..	2,00,000
16	Department of Consumer Affairs Revenue	9,50,00,000	..	9,50,00,000
	Capital	4,76,00,000	..	4,76,00,000
17	Department of Food and Public Distribution Revenue	2297,52,00,000	..	2297,52,00,000
19	Ministry of Culture Revenue	3,00,000	..	3,00,000
20	Ministry of Defence Revenue	1800,00,00,000	..	1800,00,00,000
22	Defence Services — Army Revenue	3800,00,00,000	..	3800,00,00,000
23	Defence Services — Navy Revenue	800,00,00,000	5,10,00,000	805,10,00,000
25	Defence Ordnance Factories Revenue	..	1,90,00,000	1,90,00,000
27	Capital Outlay on Defence Services Capital	..	1,00,00,000	1,00,00,000
29	Ministry of Earth Sciences Revenue	1,00,000	..	1,00,000
30	Ministry of Environment and Forests Revenue	4,00,000	..	4,00,000
	Capital	42,00,00,000	..	42,00,00,000
31	Ministry of External Affairs Capital	500,00,00,000	..	500,00,00,000
32	Department of Economic Affairs Revenue	10,15,00,000	..	10,15,00,000
	Capital	507,78,00,000	..	507,78,00,000
33	Department of Financial Services Revenue	500,01,00,000	..	500,01,00,000
	Capital	1,00,000	..	1,00,000
35	Transfers to State and Union territory Governments Revenue	1500,01,00,000	..	1500,01,00,000
	Capital	..	1000,00,00,000	1000,00,00,000
38	Department of Expenditure Revenue	17,52,00,000	..	17,52,00,000
39	Pensions Revenue	1030,00,00,000	..	1030,00,00,000
41	Department of Revenue Revenue	2,00,000	..	2,00,000
45	Ministry of Food Processing Industries Revenue	1,00,000	..	1,00,000
46	Department of Health and Family Welfare Revenue	5,00,000	..	5,00,000
	Capital	2,00,000	..	2,00,000
47	Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) Revenue	2,00,000	..	2,00,000
48	Department of Health Research Revenue	2,00,000	..	2,00,000
50	Department of Heavy Industry Revenue	1,00,000	..	1,00,000
	Capital	2,00,000	..	2,00,000
52	Ministry of Home Affairs Revenue	3,00,000	..	3,00,000
53	Cabinet Revenue	34,76,00,000	..	34,76,00,000
	Capital	82,18,00,000	..	82,18,00,000
54	Police Revenue	1500,01,00,000	2,80,00,000	1502,81,00,000
	Capital	1,00,000	1,00,000	2,00,000
55	Other Expenditure of the Ministry of Home Affairs. . Revenue	4,00,000	..	4,00,000
57	Ministry of Housing and Urban Poverty Alleviation. . Revenue	2,00,000	..	2,00,000
58	Department of School Education and Literacy Revenue	3,00,000	..	3,00,000
59	Department of Higher Education Revenue	1,00,000	..	1,00,000
60	Ministry of Information and Broadcasting Revenue	23,34,00,000	..	23,34,00,000
61	Ministry of Labour and Employment Revenue	505,55,00,000	..	505,55,00,000
62	Election Commission Revenue	8,27,00,000	..	8,27,00,000
65	Ministry of Micro, Small and Medium Enterprises. . Revenue	2,00,000	..	2,00,000
66	Ministry of Mines Capital	92,49,00,000	..	92,49,00,000

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
68	Ministry of New and Renewable Energy Revenue	162,80,00,000	..	162,80,00,000
	Capital	5,00,00,000	..	5,00,00,000
69	Ministry of Overseas Indian Affairs Capital	11,00,00,000	..	11,00,00,000
72	Ministry of Personnel, Public Grievances and Pensions. ... Revenue	..	1,00,00,000	1,00,00,000
	Capital	1,00,000	..	1,00,000
73	Ministry of Petroleum and Natural Gas Revenue	30000,00,00,000	..	30000,00,00,000
75	Ministry of Power Revenue	16,14,00,000	..	16,14,00,000
	Capital	2,00,000	..	2,00,000
	CHARGED. — <i>Staff, Household and Allowances</i>			
	<i>of the President</i> Revenue	..	2,14,00,000	2,14,00,000
77	Lok Sabha Revenue	6,00,00,000	..	6,00,00,000
81	Ministry of Road Transport and Highways Revenue	300,01,00,000	..	300,01,00,000
85	Department of Science and Technology Revenue	1,00,000	..	1,00,000
87	Department of Biotechnology Revenue	1,00,000	..	1,00,000
88	Ministry of Shipping Revenue	1,00,000	..	1,00,000
89	Ministry of Social Justice and Empowerment Revenue	2,00,000	..	2,00,000
92	Ministry of Steel Revenue	119,81,00,000	..	119,81,00,000
93	Ministry of Textiles Revenue	121,71,00,000	..	121,71,00,000
	Capital	88,18,00,000	..	88,18,00,000
95	Ministry of Tribal Affairs Revenue	1,00,000	..	1,00,000
96	Andaman and Nicobar Islands Revenue	1,00,000	..	1,00,000
	Capital	1,00,000	..	1,00,000
98	Dadra and Nagar Haveli Revenue	105,49,00,000	..	105,49,00,000
99	Daman and Diu Revenue	86,00,00,000	..	86,00,00,000
100	Lakshadweep Revenue	10,50,00,000	..	10,50,00,000
101	Department of Urban Development Revenue	2,00,000	..	2,00,000
	Capital	3,00,000	..	3,00,000
102	Public Works Revenue	42,50,00,000	..	42,50,00,000
105	Ministry of Women and Child Development Revenue	1950,02,00,000	..	1950,02,00,000
106	Ministry of Youth Affairs and Sports Revenue	2,00,000	..	2,00,000
	TOTAL.....	62155,44,00,000	1024,80,00,000	63180,24,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 2011-12.

PRANAB MUKHERJEE.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE
CONSTITUTION OF INDIA

[Copy of letter No. 4(21)-B(SD)/2011, dated 24.11.2011 from Shri Pranab Mukherjee,
Minister of Finance to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2011-12, recommends under article 117(1) and (3) of the Constitution, the introduction of the Appropriation (No. 4) Bill, 2011 in Lok Sabha and also the consideration of the Bill.

T.K. VISWANATHAN,
Secretary-General.

BILL NO. 108 OF 2011

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Manipur and Arunachal Pradesh.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2011. Short title.

C.O. 22.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950,—

(a) in PART X.—*Manipur*,—

(i) for entry 8, substitute—

“8. Kabui, Inpui, Rongmei”;

(ii) for entry 9, substitute—

“9. Kacha Naga, Liangmai, Zeme”;

(iii) for entry 10, substitute—

“10. Koirao, Thangal”;

(iv) after entry 33, insert—

“34. Mate”;

(b) in PART XVIII.—*Arunachal Pradesh*,—

for entry 5, substitute—

“5. Galo”.

Amendment
of Parts X and
XVIII of
Constitution
(Scheduled
Tribes) Order,
1950.

STATEMENT OF OBJECTS AND REASONS

Clause (25) of article 366 of the Constitution defines “Scheduled Tribes” which means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.

2. Article 342 of the Constitution provides that—

(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

3. The first list of Scheduled Tribes in Manipur was notified through the Constitution (Scheduled Tribes) (Part C States) Order, 1951. It had further been modified through the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002. At present, there are 33 communities appearing in the list of the Scheduled Tribes in Manipur.

4. To fulfil a long standing demand for considering grant of Scheduled Tribes status to the Inpui, Rongmei, Liangmai, Zeme, Thangal and Mate communities in the State of Manipur, the entries at 8, 9 and 10 of the Scheduled Tribes’ list in Manipur have to be amended and a new entry 34 is to be inserted to include these six communities.

5. Before its creation as a State, Arunachal Pradesh was part of the State of Assam. “Galong” was listed as the Scheduled Tribes in the State of Assam by the Constitution (Scheduled Tribes) Order, 1950. After the creation of Arunachal Pradesh as a State, “Galong” community was mentioned in the list of the Scheduled Tribes in Arunachal Pradesh at entry 5 by the North Eastern Areas (Reorganisation) Act, 1971. Currently 16 numbers of communities exist in the list of the Scheduled Tribes in Arunachal Pradesh including “Galong”.

6. The Government of Arunachal Pradesh has been recommending for long that the name “Galo” be substituted in place of “Galong” in the list of the Scheduled Tribes in the State since “Galong” is a distorted version of the original word “Galo”. A change is, therefore, required in the list of Scheduled Tribes in Arunachal Pradesh in as much as in place of the existing entry “Galong”, the name “Galo” is to be inserted in order to enable the “Galo” community to be listed by its correct name.

7. The Bill seeks to achieve the aforesaid objectives.

NEW DELHI;
The 9th August, 2011.

V. KISHORE CHANDRA DEO.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950; and the Constitution (Scheduled Tribes) (Part C States) Order, 1951 by :—

(i) including six communities namely Inpui, Liangmai, Rongmei, Thangal, Zeme and Mate in the list of Scheduled Tribes in the State of Manipur by amending the existing entries 8, 9 and 10;

(ii) inserting the new entry 34 (relating to “Mate”); and

(iii) substituting “Galo” in place of “Galong” in entry 5 in the list of the Scheduled Tribes in Arunachal Pradesh.

2. The amendments in the case of Manipur will entail additional recurring and non-recurring expenditure from the Consolidated Fund of India on account of benefits likely to be provided to the persons belonging to these communities out of the continuing schemes meant for the welfare of Scheduled Tribes. The same will be accommodated within the annual Plan and Non-Plan outlay of the Ministry.

3. This Bill, in the case of Arunachal Pradesh, will entail no additional recurring or non-recurring expenditure on account of the substitution of “Galo” in place of “Galong” in entry 5 in the list of the Scheduled Tribes in Arunachal Pradesh.